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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-112

13 **MARY RHEDAH INGRAM**

OAH No.

24 Skylark Dr. #22
14 Larkspur, CA 94939

A C C U S A T I O N

15 Registered Nurse License No. 653299

Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Accusation solely
19 in her official capacity as the Executive Officer of the Board of Registered Nursing, Department
20 of Consumer Affairs.

21 2. On or about February 24, 2005, the Board of Registered Nursing issued
22 Registered Nurse License Number 653299 to Mary Rhedah Ingram (Respondent). The
23 Registered Nurse License was in full force and effect at all times relevant to the charges brought
24 herein and will expire on June 30, 2010, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing
27 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

1 A registered nurse shall be considered to be competent when he/she consistently
2 demonstrates the ability to transfer scientific knowledge from social, biological and physical
3 sciences in applying the nursing process, as follows:

4 (1) Formulates a nursing diagnosis through observation of the client's physical
5 condition and behavior, and through interpretation of information obtained from the client and
6 others, including the health team.

7 (2) Formulates a care plan, in collaboration with the client, which ensures that
8 direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and
9 protection, and for disease prevention and restorative measures.

10 (3) Performs skills essential to the kind of nursing action to be taken, explains the
11 health treatment to the client and family and teaches the client and family how to care for the
12 client's health needs.

13 (4) Delegates tasks to subordinates based on the legal scopes of practice of the
14 subordinates and on the preparation and capability needed in the tasks to be delegated, and
15 effectively supervises nursing care being given by subordinates.

16 (5) Evaluates the effectiveness of the care plan through observation of the client's
17 physical condition and behavior, signs and symptoms of illness, and reactions to treatment and
18 through communication with the client and health team members, and modifies the plan as
19 needed.

20 (6) Acts as the client's advocate, as circumstances require, by initiating action to
21 improve health care or to change decisions or activities which are against the interests or wishes
22 of the client, and by giving the client the opportunity to make informed decisions about health
23 care before it is provided.

24 COSTS

25 10. Section 125.3 of the Code provides, in pertinent part, that the Board may
26 request the administrative law judge to direct a licentiate found to have committed a violation or
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
28 and enforcement of the case.

FACTUAL SUMMARY

11. On or about January 17-18, 2005, Respondent was employed as a registered nurse at Doctors Medical Center, a hospital in San Pablo, California.

12. On or about January 18, 2005, at or near 00:30 hours, while she was on duty as a registered nurse at Doctors Medical Center, Respondent held patient H.W.¹ down in her bed and, despite the fact that patient H.W. objected vehemently and clearly to the procedure, inserted a nasogastric tube into patient H.W.'s nose and down patient H.W.'s throat, into her stomach. Respondent did not lubricate the nasogastric tube before the procedure.

13. At or near the time of the insertion of the nasogastric tube, Respondent placed patient H.W. in four-point restraints. Respondent then covered patient H.W.'s head with a towel or a pillow case and left the room, leaving patient H.W. without a call button or any other means to summon assistance, for a substantial period of time. During this period of time, patient H.W. repeatedly coughed blood into her oxygen mask and experienced difficulty breathing, but was unable to summon assistance.

14. During and after the insertion of the nasogastric tube, Respondent was verbally abusive to patient H.W., informing her that she was a "lazy little rich bitch" and that she was "spoiled." Later in her shift, Respondent informed patient H that she "smelled," and was "disgusting."

15. At or near 02:00 hours, Respondent performed an assessment of patient H.W. At that time, patient H.W. again stated that she did not consent to the use of the nasogastric tube. Respondent refused to remove it.

16. At or near 04:00 hours, patient H.W. demanded that she be allowed to leave the hospital against medical advice. Respondent refused to assist patient H.W. by removing the nasogastric tube and informed patient H.W. that she would have to remove it herself. Patient H.W. did so. Patient H.W. was then allowed to leave the hospital.

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1. The identity of patient H.W. withheld to protect patient privacy.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 17. Respondent is subject to disciplinary action under section 2761(a) in that
4 she acted unprofessionally, as set forth above in paragraphs 11 through 16 .

5 **SECOND CAUSE FOR DISCIPLINE**

6 (Gross Negligence/Incompetence)

7 18. Respondent is subject to disciplinary action under section 2761(a)(1) of
8 the Code in that she acted with gross negligence and/or incompetence, as set forth above in
9 paragraphs 11 through 16.

10 **PRAYER**


11 WHEREFORE, Complainant requests that a hearing be held on the matters herein
12 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

13 1. Revoking or suspending Registered Nurse License Number 653299, issued
14 to Mary Rhedah Ingram;

15 2. Ordering Mary Rhedah Ingram to pay the Board of Registered Nursing the
16 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
17 Professions Code section 125.3;

18 3. Taking such other and further action as deemed necessary and proper.
19

20 DATED: 11/17/08

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22 
23 RUTH ANN TERRY, M.P.H., R.N.
24 Executive Officer
25 Board of Registered Nursing
26 Department of Consumer Affairs
27 State of California
28 Complainant